IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

WP(C).No. 31226 of 2006(P)

PETITIONER:

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1. A. CHOTHY (RETD.CONDUCTOR)
   K.S.R.T.C., CHERTHALA DEPOT,
   RESIDING AT PANAKKATHARANIKARTHIL,
   AROOKUTTY P.O., CHERTHALA.

2. K. DIVAKARAN (RETD.CONDUCTOR),
   K.S.R.T.C. CHERTHALA DEPOT,
   RESIDING AT KANACHENKATTU HOUSE,
   ERAMALLOOR P.O., CHERTHALA.

BY ADV. SRI.S.KRISHNAMOORTHY
SRI.T.NIKLAVU

RESPONDENTS:

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1. THE KERALA STATE ROAD TRANSPORT
   CORPORATION, REP. BY ITS MANAGING DIRECTOR,
   TRANSPORT BHAVAN, THIRUVANANTHAPURAM.

2. THE DISTRICT TRANSPORT OFFICER,
   KSRTC, CHERTHALA.

BY ADV. SHRI.JOHNSON P.JOHN, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO. 31226/2006

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE RELIVING ORDER NO. PLI.2493/06/CHLA DATED 26.9.06 ISSUED BY THE 2ND RESPONDENT.

EXT.P1(A): COPY OF THE RELIVING ORDER NO. PLI.2365/06/CHLA DATED 23.10.2006 ISSUED BY THE 2ND RESPONDENT.

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 31226 of 2006

Dated this 18th day of December, 2006

JUDGMENT

The grievance of the petitioners is that retiral benefits due to them have not been released so far.

2. Having regard to the submissions of the learned counsel for the petitioners and those of Sri.Johnson P.John, the learned Standing Counsel, who has taken notice on behalf of the KSRTC and also the various grounds raised in this writ petition, this writ petition will stand disposed of with the following directions.:

i). If the amounts due to the petitioners on account of Provident Fund and Staff Welfare Fund have not been released to them, the respondent Corporation will release those amounts to the petitioners within two months of producing a copy of this judgment.

ii). As regards the other claims of the petitioners, they are directed to file proper representation before the respondents . If

the petitioners file such representations within one month of receiving a copy of this judgment, the KSRTC will take up those representations, consider the same in the light of the grounds raised in the writ petition and decide those representations at their earliest. Decision as directed above will be taken by the KSRTC on the representations within three months of their receiving the representations.

Iii). It is needless to mention that the KSRTC will abide by the guidelines formulated on the basis of the judgment of this court in W.A. NO.289/2001 in the matter of release of the retiral benefits other than Provident Fund closure amount, and Staff Welfare Fund.

PIUS C.KURIAKOSE
Judge

dpk